Child and Youth Officer
for British Columbia

ANNUAL REPORT 2003/04

Stay the Course

We all need goals. Without goals the realities we face are randomly met and the outcomes we experience are, more often than not, less than desirable. Without goals there can be no accomplishment. The government of British Columbia has set itself goals that, if achieved, would transform the province's child welfare system.

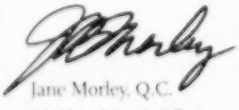
This report describes four goals that I have adopted for myself as Child and Youth Officer for British Columbia and for the team that supports my mandate. (These goals are listed on page 3). We can achieve none of these goals acting alone. Each goal is a goal for the system. Each is consistent with the goals the government, and in particular the Ministry of Children and Family Development (MCFD), has set for itself. Our role is to be a catalyst stimulating others to achieve these goals.

Goal 1 reflects the commitment announced by the new government early in its own mandate to genuinely involve local communities in the responsibility for and decision-making about services for children, youth and families, in part through devolving authority to regionally based boards. Barriers to accomplishing this have inevitably emerged. They can, and should, be overcome—not used as a reason to change the course. Similarly, barriers to Aboriginal communities' autonomous authority for planning and providing services for their children and youth, addressed in Goal 2, can also be overcome.

The very real problems associated with the provision of services for children and youth in the care of the state can be addressed and the outcomes for them can be improved. Goal 3 highlights this special responsibility of government (and public agencies to which it has delegated its guardianship authority). It will in part be achieved by the pursuit of Goal 4, a goal that should be shared by all organizations and individuals involved in providing services for children, youth and families. This is the simple but effective goal of having children, youth and families meaningfully participate in the decisions that affect them.

These goals are all important and, in my view, are all achievable. It won't be easy. There are bumps and some large holes in the road that will make the journey to accomplishment somewhat perilous. With the help of my team, I will be providing some warning about the obstacles along the way, while at the same time encouraging those organizations and individuals that are working to bring about a transformation of the system.

British Columbia's child and youth-serving system is undergoing fundamental but necessary change. Too many children and youth are not receiving the protection and support they require and deserve. The issues are complex, the solutions not easy. Change brings with it serious risks. But for all that, we need to embrace it and proceed with it wisely.



Jane Morley, Q.C.
Child and Youth Officer
Province of British Columbia

critic,
catalyst,
champion

The Child and Youth Officer is:

- a ***critic*** who, like all good critics, provides both negative and positive analysis and review
- a ***catalyst*** for positive change
- a ***champion*** for children and youth.

independence

The Child and Youth Officer is independent. She is not a part of the Ministry of Children and Family Development. She has a legislated mandate to comment publicly on issues affecting children and youth without interference from any ministry or from the Premier and cabinet.

The Child and Youth Officer:

the vision

A civil society in which the fundamental human rights of children and youth are realized, and children and youth are supported in their development to adulthood by their families, communities and governments.

Our vision reflects the values underlying the United Nations Convention on the Rights of the Child, to which Canada is a signatory. It affirms the joint responsibility of families, communities and governments for children and youth.

services covered by the mandate

The mandate of the Child and Youth Officer covers, but is not limited to, the following government-funded services:

- family support, child protection, adoption and guardianship
- early childhood development and care
- child and youth mental health and addiction
- youth justice
- transition to adulthood.

A New Mandate

Both the Child and Youth Officer's mandate and the approach taken to fulfill the mandate are new. The legislated mandate is in many ways broader and more far-reaching than the mandates given to the old Children's Commission and to the Child, Youth and Family Advocate.

The *Office for Children and Youth Act* states that the Child and Youth Officer is to "provide support to children, youth and their families in obtaining relevant services and to provide independent observations and advice to government about the state of services provided or funded by government to children and youth in British Columbia..."

All children and youth in the care of the state have a legal right to contact the Child and Youth Officer and must be informed of that right. However, the mandate is not, as in some provinces, limited to children and youth in care.

I can and will comment publicly on systemic issues affecting all children and youth in British Columbia. The annual report is not vetted by anyone in government and must be made public within a reasonable time period.

The Child and Youth Officer's mandate is to:

- **support**—by working collaboratively with children, youth, families, communities and government to improve services
- **observe**—by asking questions and gathering information and perspectives on the effectiveness, responsiveness and relevance of services
- **advise**—by building on what has been learned and by sharing ideas for improvement with communities, governments and the public.

The team

The Child and Youth Officer's authority can be delegated to others. There is a team of Deputy and Associate Child and Youth Officers who undertake a variety of actions, including:

- facilitating joint action on behalf of children and youth
- supporting children and youth in having their own views heard and considered
- meeting with communities to exchange information and ideas about services
- providing workshops related to service improvement
- gathering and analyzing information about issues and best practices.

We work collaboratively with others who share the common goal of improving government services. We learn by asking questions, and engaging with others in our inquiry. A central part of our work is building relationships, as the building of relationships is a prerequisite for collaborative action. We seek to look at the issues through a variety of lenses, including Aboriginal, special needs, youth participation and cultural diversity.

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Individual disputes and complaints

The focus of the Child and Youth Officer's mandate is on finding ways to make the system work better. The statutory office of Child and Youth Officer is not an appeal court for individual complaints. When complaints or disputes with service providers are brought to our attention, our primary role is to promote meaningful participation of children, youth and families and their advocates in decision-making processes. We also seek to learn about the broader implications for the system from the issues raised.

Individuals, including children and youth, need support, skills and confidence in order to advocate for themselves. The most effective assistance comes from a child's or youth's support network, from community advocacy services, and from service providers who welcome participation in decision making. We support the development of advocacy in communities by providing workshops and materials on participation and advocacy.

The Associate Child and Youth Officers provide children and youth who call our office with prompt and direct assistance. They refer them to an appropriate outside resource; provide information about their rights and relevant government services; send them written materials; advise and coach them on how to be effective self-advocates; and/or connect them with a natural or local advocate for ongoing support.

Activities in 2003/04

During my first year as Child and Youth Officer, I have met with a variety of people concerned about the state of services for children and youth in British Columbia. I have visited all regions in the province and have attended community meetings and meetings of children and youth in care. I have sat down with service providers, who know first-hand what the issues are, to get their perspectives. And I have sought to develop relationships with those who decide on public policy, including ministers, deputy ministers, Aboriginal leaders, and senior managers at the provincial and regional levels. I have learned from them and communicated to them my thoughts on the issues they face.

The Deputy and Associate Child and Youth Officers have likewise devoted time to meeting with people throughout British Columbia to inquire about the state of services for children and youth in the province. They have learned about what government and communities are doing, and have begun to identify potential joint projects consistent with our strategic plan.

The Associate Child and Youth Officers are assigned both regional and subject area portfolios. Those with regional responsibilities have met with MCFD managers, service providers and community groups in their regions. They have conducted community advocacy workshops. The Deputy and Associate Child and Youth Officers have also kept abreast of the research, best practices and developments in their assigned subject areas, and have attended and given presentations at key conferences.

We continued to respond to individual calls to our office from children, youth, family members, service providers and others—over 1,000 calls through the year—providing them with self-advocacy and direct advocacy support. We convened a meeting of MCFD regional managers responsible for the internal complaints process to discuss how we can best support advocacy and participation of children, youth and families in that process.

We partnered with Save the Children Canada and the Federation of British Columbia Youth in Care Networks on the Right Way project to educate young people in care on their rights and how to responsibly advocate for themselves. We have had two youth in our office, who, supervised by Associate Child and Youth Officers, conducted 43 workshops over the course of the year.

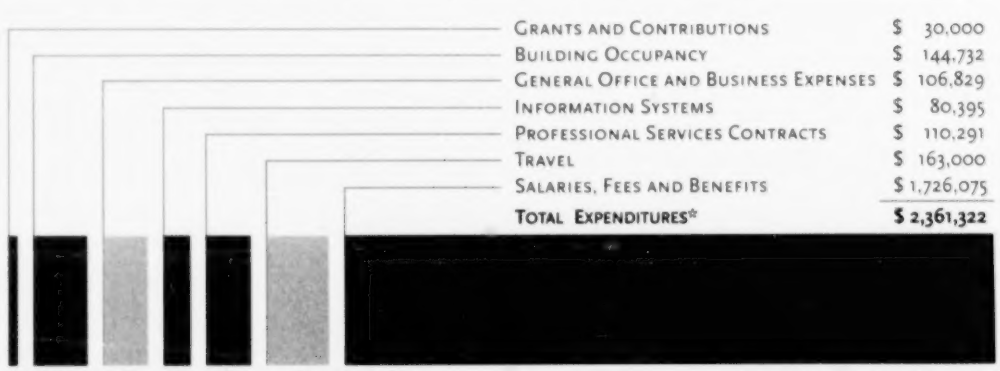
the goals

1. Communities throughout British Columbia have sufficient resources and decision-making power to effectively share with government responsibility for the service delivery system in those communities.
2. The communities of indigenous peoples in British Columbia have sufficient resources and capacity and the necessary autonomy to provide culturally affirmative and effective services for their children, youth and families.
3. Children and youth in care have measurably improved outcomes.
4. Children, youth and their families meaningfully participate in decisions affecting them.

2003/04 Expenditures

(for the period of April 1, 2003 to March 31, 2004)

Grants and Contributions	$ 30,000
Building Occupancy	$ 144,732
General Office and Business Expenses	$ 106,829
Information Systems	$ 80,395
Professional Services Contracts	$ 110,291
Travel	$ 163,000
Salaries, Fees and Benefits	$ 1,726,075
Total Expenditures*	**$ 2,361,322**



* Subject to Fiscal Year-End Adjustments

goal 1 Communities throughout British Columbia have sufficient resources and decision-making power to effectively share with government responsibility for the service delivery system in those communities.

Why this goal?

Goal 1 reflects the principle that a service delivery system for which governments and communities share responsibility increases the likelihood of:

- **accessible services, responsive to individual needs**
- **collaboration, identification of duplications and gaps, innovation, evaluation, and investment in prevention**
- **resource allocation shaped by the specific needs and existing resources of the community**
- **an enhanced sense of community responsibility for children and youth.**

service transformation

"The move to community governance will shift the planning for programs and services closer to the individuals they serve and increase the ability for those programs to respond to individual needs."

"Initiative 1: Service Redesign —Community-Based Collaboration shift FROM centrally determined program delivery design and resource allocation TO service delivery is unique to each community and informed by community needs, multicultural composition, goals and available resources."

—Service Transformation Statement, Service Transformation Branch, Child and Family Development Division, MCFD, January 2004

Background

The government has committed itself to transforming the child welfare system in British Columbia, from one run centrally from Victoria to one engaging local communities in service delivery and resource allocation, within a regionally based governance system. Implementation of the transformation has begun but has not yet been accomplished.

The idea of services being integrated and organized at a community level reflects accepted best practices and is supported by many who have worked in the field and who understand the challenges of the child welfare system.

The report *Early Childhood Development in British Columbia: Enabling Communities* (Dr. Fraser Mustard and Frances Picherak, 2002) highlighted the importance of integrating government programs at the local level with community initiatives. Achieving an integrated community-based early childhood development service is a significant challenge given that currently six ministries and five regional health authorities are involved in early childhood development policy and service delivery.

During the mid-term service plan review in the summer of 2003, the movement towards community engagement in service delivery planning, led by regional planning committees and MCFD regional managers, lost momentum. The energy of MCFD senior management was taken up in responding to the reality that the ministry was not going to meet its budget reduction expectations without an unacceptable cut in services. (The budget cuts were subsequently reduced.) At the same time, the government's commitment to its governance agenda was affirmed, but given a reduced priority. In March 2004, the new Minister and Deputy Minister announced that the devolution of governance to regional authorities would be delayed to 2006 or even 2007.

Observations and advice

The historical pattern in British Columbia's child welfare system has been that government's commitment to change does not last long, no matter what political party is in power. The time required for transformational change has invariably been cut short by frightened reactions to system failures and by political pressure from those who feel they will be detrimentally affected by the transformation. This has led to reversals of policy direction and reorganization after reorganization. As a result, many are skeptical that fundamental change will ever really happen. Others have been persuaded that it is different this time, and have embraced the change with energy. Sustaining that energy is a challenge, especially in light of the March 2004 announcement of the delay in the devolution of governance, which was taken by many as the government's backing away from its commitment to share with the community decision-making power in service delivery and resource allocation.

There are three major obstacles to attaining the goal of effective sharing by government and communities of responsibility and authority for the service delivery system in communities: money, people and control.

My team and I have heard from many service providers as well as service users and their advocates that budget cuts have reduced communities' capacity to provide needed services. Many believe that talk of shared responsibility with communities is code for downloading government financial responsibility for children, youth and families to communities.

Sufficient resources are a prerequisite for an effective service delivery system. Yet there is never enough money to fund health, education and welfare needs, including the needs of child welfare systems. This is the case not only in British Columbia, but also in the rest of Canada, North America and most of the world. The needs of our health, education and welfare systems inevitably grow, and these systems compete for a larger share of finite and scarce funds. In this competition the voices of children and youth are not loud; they need champions to ensure that they are not forgotten when scarce resources are allocated.

But money is not the only problem. People matter. People in the system need to be inspired, educated, trained, mentored and nurtured so that they in turn will nurture others. When skilled and experienced people working in the system become disillusioned and cynical about the prospects for change, transformation will be very difficult to achieve.

The recently disbanded non-Aboriginal regional planning committees and their Aboriginal counterparts, whose budgets have been significantly reduced, have put considerable talent and energy into community engagement in planning. The delay in devolving governance risks the loss of what has been gained. The trust and engagement of those who have put energy into the transformation cannot be turned on and off like a tap.

The mid-term service plan review and the recent delay in the governance agenda has been read by many, some with favour and others with distress, as the pendulum swinging back to centralized control in Victoria. Consolidating power and authority at the centre until service transformation is complete and Aboriginal authorities are deemed ready for governance is not the right answer to meeting the challenges of pursuing the vision of community engagement.

There is a very real possibility that service transformation will not happen and communities will not take on responsibility unless real authority and resources continue to be devolved to the regions and through them to communities. As Child and Youth Officer, I intend to keep the spotlight on the important role of communities in supporting children and youth in their safe and healthy development to adulthood. The Deputy and Associate Child and Youth Officers will engage in inquiry at the community level, and when asked, will facilitate community engagement and collaborative action directed at improving services for children and youth. The enthusiasm that inspired many innovations over the last two years must be kept alive. Otherwise, the goal of community-based governance will recede farther into the future—so far that it will never be realized. And the opportunity to really make a difference for children will be missed again.

MCFD's stated expectations of itself

1. Families, children and youth can directly access services in their community from a well-defined network of effective and culturally appropriate services.
2. Partnerships involving other ministries, service providers, informal supports and ministry staff exist throughout the province through collaborative service initiatives.
3. Community and family members have roles in preventing child abuse/neglect and supporting vulnerable children and youth.
4. Reinvestment in family development and youth services taking into account community input.

goal 2 The communities of indigenous peoples in British Columbia have sufficient resources and capacity and the necessary autonomy to provide culturally affirmative and effective services for their children, youth and families.

Why this goal?

The persistent over-representation of Aboriginal children and youth in the child welfare system requires a dramatic shift in approach if it is to change in the future.

Autonomy sufficient for Aboriginal communities to provide culturally affirmative services for their children and youth holds the promise of rectifying some of the damage done historically by the breaking of ties between Aboriginal children and their families, communities and cultures. It increases the likelihood of a holistic and communitarian approach to services and supports for Aboriginal children, youth and families.

Goal 2 recognizes the need for sufficient capacity and resources for autonomy to result in effective services.

grim facts

Aboriginal children and youth, as a group, experience:

- a substantially lower standard of living
- below-standard housing
- greater likelihood of a single-parent family
- poorer health
- higher drug and alcohol use rates
- higher youth suicide rates.

Aboriginal children and youth account for approximately 8% of the general child and youth population; yet over 40% of the children and youth in care are identified as Aboriginal.

Background

In 2002, the leaders of the four major Aboriginal organizations in British Columbia set aside their political differences to join in common purpose—to affirm their responsibility for their children and families. Subsequently, they entered into a Memorandum of Understanding, signed by the Premier and two Ministers, acknowledging the need for joint planning, policy and program development, implementation, evaluation and decision-making in relation to services for Aboriginal children and their families. Since that time, steps have been taken towards the ultimate creation of Aboriginal authorities, paralleling the planned non-Aboriginal authorities, in the five regions.

In its service transformation plan, MCFD has committed itself to a shift from an MCFD-dominated approach to protecting Aboriginal children, to working collaboratively with Aboriginal communities by embracing Aboriginal approaches to protecting Aboriginal children and youth within extended family and Aboriginal communities.

This is not an entirely new development. The Spallumcheen Nation has governed its own child welfare for over 20 years, and the Sechelt Band was given that authority in 1986. The Nisga'a Treaty 2000 gives the Nisga'a authority to legislate child welfare policies provided they meet or surpass British Columbia's legislated standards. Currently there are 20 Aboriginal agencies with various levels of delegation of authority; six are at the highest level, which includes child protection and guardianship authority.

Observations and advice

Breaking the cultural bond of Aboriginal children with their community can cause long-term psychological damage—clearly a lesson learned from the residential school history. Moreover, the enhancement of community capacity is central to the survival of Aboriginal cultures. Children need their community to develop fully; conversely, children are needed for the community and culture to flourish.

The communitarian perspective embedded in Aboriginal culture has created inevitable conflicts as individual children and youth have been repatriated to their ancestral communities. In a few high-profile cases, foster parents and some social workers have been pitted against First Nations bands and other social workers. The value of maintaining the ties that children have developed with family and friends outside ancestral communities often clashes with the value of ensuring connection with their cultural roots. There are no easy answers to these clashes. Each case needs to be determined by balancing these values in the context of the circumstances in that case, and resolving the conflict in a way that meets the needs of the particular child or youth. As the Child and Youth Officer, my mandate is to ensure that the views of the child or youth are considered in this process, in a manner appropriate to his or her age, and taken into account in the final decision.

Aboriginal communities in British Columbia have both unique capacities and unique challenges in realizing the goal of a community-based service delivery system. The unique capacity lies with the consistency of Aboriginal culture with the underlying values of MCFD's service transformation. The unique challenges are geographical, historical, economic and social. Expecting communities to take on responsibility without sufficient resources is setting them up for failure.

It is not, however, just a question of the amount of the financial resources. The strings attached to funding also create an obstacle to autonomous decision-making. The anomalies of the federal funding formula for Aboriginal children living on reserves provide a case in point. The formula ties funding to the number of children in care, thereby providing a disincentive to keeping children in their families and communities and out of the care of the state. In 2000, a National Policy Review on First Nations Child and Family Services was conducted, resulting in 17 recommendations to improve the funding formula. These recommendations were, and continue to be, widely supported. So far no significant change has been made. Along with my counterparts in other provinces I intend to continue to put pressure on the federal government to make the necessary reforms.

Aboriginal and non-Aboriginal people in British Columbia have much support to give one another in working towards effective community-based service systems. The deeply rooted understanding and acceptance by Aboriginal communities of a holistic, communitarian approach to individual children and youth should serve as an inspiration for other communities. The mutual lack of financial resources, and, particularly in Aboriginal communities, the lack of human resources, suggest the need for collaboration among Aboriginal and non-Aboriginal authorities and communities.

Aboriginal communities' historic distrust of government and of non-Aboriginal service providers in the child welfare system makes this needed collaboration a challenge. There are signs of collaboration beginning to happen in some regions as a result of the governance process, but the building of trust is a very delicate process, and whether it can withstand the closing down of the non-Aboriginal planning committees and the reduction of budgets of the Aboriginal planning committees remains to be seen. Strategies must be developed and adequately funded to continue the relationship building that has begun. My team and I will be looking for opportunities to support the building of constructive relationships between Aboriginal and other organizations.

complex-ities

The Aboriginal cultural and political context in British Columbia is complex. Among the complexities are:

- numerous geographically dispersed bands, many with a population of less than 500
- Aboriginal cultural diversity (historically over 20 distinct Aboriginal cultures)
- key land claim and self-government issues still to be determined in court
- ongoing and very slow treaty negotiations
- four major provincial Aboriginal political organizations with differing perspectives
- migration patterns between reserve and urban communities that can significantly diminish community stability.

goal 3 Children and youth in care have measurably improved outcomes.

Why this goal?

Goal 3 recognizes government's special responsibility for children and youth in care. The goal does not specify what strategies will make the difference, but keeps the focus on finding ways to effect actual improvement. The assumption that a policy or service, whether existing or new, makes things better for children and youth in care is not good enough. There must be a consistent, transparent measurement of outcomes as a means of holding the government accountable for its goal of improved outcomes.

"Several protective factors promote healthy youth development: Youth need caring adults in their lives and strong adult–youth relationships. Adults need to create safe environments for youth, have high, positive expectations for them and provide opportunities where they can develop and demonstrate competencies and participate in school and community life. Youth need to learn life skills as well as prevention skills and to feel a sense of optimism, hope and belonging."

—Adolescent Health Survey III, The McCreary Centre Society, 2003, p. 20.

Background

In British Columbia, and many other jurisdictions, the state sometimes steps into the role of guardian for children and youth whose families cannot care for them. When this is a permanent situation, the state takes on this guardianship responsibility until the child turns 19, unless adoption can be arranged, which is not usual. As guardian, the state has a special obligation to do what it can through policy and practice to influence the factors that can improve outcomes. Study after study show that health, education and other outcomes for children and youth in care are poorer than for the general population. Recognizing this reality and their responsibility, MCFD has set itself the goal of better health, educational and socio-economic outcomes for children and youth in care.

Children and youth in care have strengths that can be built on to protect them from the risks they will be exposed to as adolescents and adults. They are also more likely to experience elevated risk factors, including disabilities, weak or non-existent ties with their families, lack of a sense of belonging, frequent moves, lower self-esteem and fewer strong relationships with adults.

The role of parents is to enhance their children's resilience so that they develop the adaptive skills necessary to deal with life as adults. Parents do this by nurturing their children on a day-to-day basis, by finding ways to strengthen the child's capacity to look after herself or himself, and by increasingly giving the child autonomy to make decisions affecting him or her.

When the state takes on the role of parent, guardianship responsibility rests in a bureaucracy, and the day-to-day nurturing role is delegated to individuals on contract with that bureaucracy. The parental role is fragmented, which creates difficulties in improving outcomes.

Observations and advice

Information for Effective Planning

When identifying strategies to improve outcomes for children and youth in care, one challenge is the limited knowledge of their health, educational and social development. MCFD's information system provides some basic information on children and youth in care, such as age, gender, region and Aboriginal status. However, more information must be collected, both within MCFD and from other government ministries, as a basis for developing and evaluating services to meet the needs of children and youth in care. Within MCFD, this could mean tracking factors that promote stability, such as the number of placements or assigned social workers that individual children and youth in care have over time.

By sharing information among government ministries, we could dramatically increase our knowledge of the relationship between government policies and outcomes for children and youth, generally, and more particularly for those in care. For example, we could better understand the links between educational attainment for children in care and the relative frequency of use of social assistance during the transition to adulthood. A deputy ministers' committee on health, communities and safety has for some time had on its agenda an initiative to share this valuable information. Other bureaucratic distractions or inter-ministry tensions appear to have slowed implementation of this initiative, although progress has recently been made in reaching an inter-ministerial agreement on information sharing. Over the next year, we will watch this development with interest and, if necessary, will play a facilitative role in making the plan to share information a reality. We will also be pursuing collaborative approaches to gathering relevant information about the profile and outcome indicators for children and youth in care.

Protective factors

A young person's resilience (his or her ability to overcome hardship, resist stress, adapt to changing circumstances and feel competent) develops over time. There are several protective factors that enhance resilience, which are often not as strongly developed in children and youth in care. Strategies can and should be developed to build on the innate resilience of children and youth in care as they develop to adulthood. This is what parents do; this is what the state should do when it is in the role of parent.

A particular focus is required for teenagers who will remain in care until age 19. These youth are seldom adopted and often do not develop strong relationships with adults. They are missing a key protective factor that supports their resilience. They are more likely to engage in risky activities during their teenage years and after they reach 19.

We have heard from families that while children and youth are in care, contact with family and family surrogates is often severely restricted. Opportunities must be created for the development and maintenance of emotional and enduring attachments with parents, siblings, extended family, mentors, foster parents and others who are significant in the child's life. We hope to play a role in facilitating collaborative action to this end among government, service providers and other significant people in the lives of children and youth.

Section 70 rights

The special rights of children and youth in care set out in the *Child, Family and Community Service Act* affirm that children and youth in care are entitled to a level of care that meets the community standard for care of children with their families. They also highlight the importance of meaningful participation of children and youth in decisions affecting them. Parents support the healthy development of their children by allowing them increasing autonomy to make decisions about their own lives, thereby increasing their competence and self-esteem. In contrast, decisions are often made for children and youth in care without their input. This leads to reduced self-esteem and a sense of powerlessness.

We plan to develop collaborative projects with youth in care, guardians, foster parents and others directed at using Section 70 rights as a tool to improve outcomes for children and youth.

section 70 rights

The *Child, Family and Community Service Act* provides special rights for children and youth in the care of the state, including:

- to be nurtured according to community standards
- to be informed about their plans of care
- to be consulted, according to their abilities, about significant decisions affecting them
- to be informed about and assisted in contacting the Child and Youth Officer or Ombudsman.

goal 4 Children, youth and their families meaningfully participate in decisions affecting them.

Why this goal?

Goal 4 recognizes that meaningful participation:

- **affirms the dignity of the child, youth and family members**
- **strengthens their capacity to take responsibility for themselves, and**
- **leads to better decisions that are more responsive to the particular interests of the child, youth and family.**

Background

One of MCFD's envisioned service transformation shifts is from reliance on court as a decision-maker to a spectrum of community based alternative dispute resolution (ADR) processes for resolving case-specific disputes before application to court.

ADR processes involve negotiating a resolution to a dispute; they imply a sharing of decision-making power. The underlying values of social work honour the capacity of individuals to make choices about their own lives. The practice of many workers in the child welfare system reflects these values. At the same time, the organization as a whole has not been used to a practice of sharing power and responsibility with the children, youth and families they serve. While legislation has for years allowed for mediation in child protection cases, it is only very recently that MCFD has begun to use this option.

family group conferencing

Family group conferencing is an alternative dispute resolution process that has begun to be used in some regions. In appropriate cases, before removing the child from the home, the extended family members are brought together. They are presented with professional information about the problem and the services available. They meet privately to come up with a plan, discussing it with the social worker, who retains the authority to reject the plan based on the safety of the child.

Observations and advice

Organizational cultural shift

A practice shift to embracing meaningful participation of children, youth and families in decision-making does not come easily. There are some reasons for this. One is the natural resistance of organizations to change. Another is the experience of front-line workers—that they are often the first ones blamed when something goes wrong, as from time to time it inevitably will. This experience has led to an understandable reluctance to share the power to make a decision. When there are protection concerns, it is less risky for a worker to remove a child and let a judge decide. If court is the preferred alternative, then energy is put not into building collaboratively on the capacity of family members to look after their children but into proving, in an adversarial setting, their incapacity.

The goal of meaningful participation will not be achieved until it is integrated into social work practice. Many social workers were at first reluctant to participate in a mediation pilot project started in June 2001 in the Fraser Region, which made use of the Facilitated Planning Meeting model as an alternative to waiting 14 months to have a contested hearing in the Surrey provincial court. An evaluation of the project indicates that in 83% of cases all issues were resolved. Satisfaction ratings for all participants were high. Workers, who initially could not see how protection issues could be negotiated, turned into enthusiasts. They discovered that by shifting the issue from assigning blame to making the best future plan for the child, they were often able to work collaboratively with family members to come up with a workable alternative that did not compromise the interests of the child.

MCFD has set for itself the goal that by March 31, 2005, 40% of all cases will be resolved through alternative dispute resolution processes. We will be watching with interest to see whether this target is met. Evaluation of the alternative processes used is also of particular interest. Ways must be found to make evaluation a manageable, and not too costly, part of the process. To that end, we will pursue a strategy of supporting processes to evaluate whether meaningful participation has increased for children, youth and families.

New internal MCFD complaints processes

One arena for encouraging openness to participation in decision-making is the internal complaint resolution process. Over the last year, all MCFD regions have implemented new internal complaints processes that encourage the resolution of disputes at the local level between the worker and the person making the complaint. Too often in the past, complaints, which reflect relationship issues, have not involved the worker at all, except in defending against allegations of blame.

The role of the ministry complaint consultant in this new process is not to decide whether the complaint is founded, but to support the complainant through the process and to encourage openness to reconsideration by the decision-makers. Unfortunately, these consultants are classified at an unrealistically low level given the skill set required. The importance of their work should be better recognized.

Because the effectiveness of the complaints process in achieving its stated goals is central to the Child and Youth Officer's mandate to support access to relevant services, we plan to observe and support the various internal complaints processes in the different service areas covered by the mandate.

Youth participation

There is convincing evidence in the research literature that active youth participation in school, church and civic engagement reduces the likelihood of youth being harmed by enhancing their resilience (see Goal 3). There is also evidence that organizations providing youth with services benefit when they involve youth in policy development and service design, because the policies and services tend to be better suited to the particular needs and characteristics of their clientele.

Few organizations in North America meaningfully involve youth, and of those that do, the level of involvement varies. Almost none are measuring the outcomes of their efforts. In British Columbia, that needs to change. We intend to pursue a collaborative project to develop an effective youth participation model for new authorities. We also plan to develop ways within our organization to model effective youth participation.

youth participation

"Young people often speak their minds and bring a fresh perspective to organizational decision-making. We heard adults comment on how young people change the content and quality of discourse and procedure on governing boards, commissions, and other planning bodies. But adolescence is also a time for deepening relationships and intimacy with peers. Young people bring a first-hand knowledge of youth—their interests, concerns, fears, passions—that simply is not accessible to adults. They bring connections to other young people and can leverage the participation and skill of their peers."

—Youth in Decision-Making: A Study on the Impacts of Youth on Adults and Organizations, Department of Human Development and Family Studies, University of Wisconsin, 2000

Evaluation
is integral to improvement of services

Evaluation of policies, programs and delivery of services for children and youth is integral to the Child and Youth Officer's mandate to assess their effectiveness, responsiveness and relevance and to hold government accountable. Evaluation does more than measure non-compliance with standards. It is a crucial step in the continuous quality improvement cycle through which a well-functioning organization learns from experience in order to better plan for and improve the services it provides.

No one method of evaluation is sufficient to make a full assessment of government's performance. Evaluation is needed to assess the overall effectiveness of government's performance in improving outcomes for all children and youth. Appropriate outcome measures for children and youth in care should be identified and compared with those for the general population. Evaluation should also occur at the local level, where services are delivered: Are the services being delivered as planned, and are they doing what they were intended to do? If not, why not? How do those who receive the services experience them?

While acknowledged as a good idea, evaluation is too often an afterthought and never quite happens because of insufficient money, time or commitment. Yet we know that it is considerably more effective if built into program planning from the beginning. Ways must be found to make evaluation a manageable and integral part of the service delivery system.

Objectives for the Next Year

By March 31, 2005, the Child and Youth Officer and her team will have contributed to:

1. Increased knowledge about the state of services for children and youth
2. Increased understanding of the existing and needed resources, capacity and autonomy of Aboriginal communities to provide their children, youth and families with culturally affirmative services
3. Increased understanding of strategies for improving outcomes for children and youth in care
4. Increased community engagement in services for children and youth
5. Increased collaboration among youth, families, caregivers, service providers (voluntary and funded), and policy decision-makers
6. Enhanced evaluation of services for children and youth
7. Generation of ideas that are implemented, about how to improve services for children and youth
8. Increased encouragement by service providers of children, youth, families and their advocates to participate in decision-making
9. The development of structures and practices within governing authorities that allow youth to participate in policy decision-making.

For more information on how we are planning to meet these objectives, please visit our web site at www.gov.bc.ca/cyo

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